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EXAMINER

SPITTLE, MATTHEW D

ART UNIT	PAPER NUMBER
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2111

DATE MAILED: 12/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/644,133	Applicant(s) KARAMATAS ET AL.	
	Examiner Matthew D. Spittle	Art Unit 2111	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12 and 15-30 is/are rejected.
- 7) ☒ Claim(s) 11, 13 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/20/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 101

Claim 20 is directed to non-statutory intangible embodiments. In view of Applicant's disclosure, paragraph 16, the medium is not limited to tangible embodiments, instead being defined as both tangible embodiments (e.g., [ROM, RAM, magnetic disk storage media, optical storage media, flash memory]) and intangible embodiments (e.g., [electrical, optical, acoustic, carrier waves, infrared signals, digital signals]). As such, the claim is not limited to statutory subject matter and is therefore non-statutory.

Claim Objections

Claim 5 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The limitations as recited in claim 5 fail to further limit claim 4.

Claims 7, 8, 11 objected to because of the following informalities: Claims 7, 8, and 11 recite "...one of the plurality of nodes," and "...one or more of the plurality of nodes." Examiner finds this language to be unclear, and suggests changing to either "one of the nodes" or "one or more of the nodes." Appropriate correction is required (all occurrences).

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Claim 10 recites the limitation "the interrupt assignment software" in line 1.

There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 3 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Kiick.

With regard to claim 1, Kiick describes a method comprising at least one of:

Assigning interrupts for a plurality of input/output (I/O) devices among a plurality of nodes of a system based on at least one of: the nodes to which the I/O devices are connected; and the nodes at which interrupt service routines for the I/O devices reside; and processors of the nodes (Paragraph 34 describes that interrupts should be assigned to the "closest" processors, and not across node boundaries. Examiner interprets this to mean the interrupts for the I/O devices should be assigned to nodes to which they are connected or to nodes where the ISRs for the said I/O devices reside.);

For each node of the system, assigning the interrupts for the devices that are performance critical and that have been assigned to the node among the processors of the node in a round-robin manner (Examiner interprets all devices in the reference to be considered "performance critical"; Paragraph 26);

Dynamically modifying assignments of the interrupts among the nodes of the system based on actual performance characteristics of the assignments (Paragraphs 25, 28, 31);

For each node of the system, dynamically modifying assignments of the interrupts that are performance critical and that have been assigned to the node among the processors of the node based on actual performance characteristics of the assignments (Paragraphs 25, 28, 31).

Kiick describes a multiprocessor system that is tightly-coupled, and could have shared main memory, mass storage, and cache, and runs a single copy of an operating system (paragraph 7). These limitations define a NUMA system as evidenced by the definition from Whatis.com, and therefore, Kiick implicitly describes a NUMA system for use with his invention.

With regard to claim 2, Kiick describes the method of claim 1, wherein assigning the interrupts for the plurality of I/O device among the plurality of nodes of the NUMA system comprises, for each I/O device:

Where the node (Figure 1, items 102A, 102B) to which the I/O device (Figure 1, items 110A, 110B) is connected has a cache (Paragraph 10), memory (Figure 1, items

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108A, 108B), and at least one processor (Figure 1, items 106A, 106B), assigning the interrupt for the I/O device to the node to which the I/O device is connected;

Otherwise, where the node at which the interrupt service routine for the I/O device resides has memory and at least one processor, assigning the interrupt for the I/O device to the node at which the interrupt service routine for the I/O device resides (Paragraph 34 describes that interrupts should be assigned to the "closest" processors, and not across node boundaries. Examiner interprets this to mean the interrupts for the I/O devices should be assigned to nodes to which they are connected or to nodes where the ISRs for the said I/O devices reside.).

With regard to claim 3, Kiick describes the method of claim 2, wherein assigning the interrupts for the plurality of I/O devices among the plurality of nodes of the NUMA system further comprises, for each I/O device, otherwise, assigning the interrupt for the I/O device to one of the nodes having memory and at least one processor (Paragraph 23 describes each node containing memory (Figure 1, items 108A, 108B), and at least one processor (Figure 1, items 106A, 106B); paragraph 26).

* * *

Claims 7 – 10, 12, and 15 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Kiick.

With regard to claim 7, Kiick describes a non-uniform memory access (NUMA) system comprising:

A plurality of nodes (Figure 1, items 102A, 102B);

A plurality of input/output (I/O) devices, each I/O device connected to one of the plurality of nodes and having an interrupt (Figure 1, items 110A, 110B);

An interrupt-assignor responsive to the I/O devices and the nodes to assign the interrupt for each I/O device to one of the plurality of nodes in a performance-optimized manner (where an interrupt-assignor may be interpreted as a dynamic interrupt distributor; Figure 2, item 210; paragraphs 25, 28).

Kiick describes a multiprocessor system that is tightly-coupled, and could have shared main memory, mass storage, and cache, and runs a single copy of an operating system (paragraph 7). These limitations define a NUMA system as evidenced by the definition from [WhatIs.com](http://www.whatis.com), and therefore, Kiick implicitly describes a NUMA system for use with his invention.

With regard to claim 8, Kiick describes the system of claim 7, wherein each of one or more of the plurality of nodes has memory and at least one processor (Figure 1, items 108A, 106A; items 108B, 106B), the memory of a node being local to the node and remote to the other plurality of nodes (Figure 1, items 108A, 108B; paragraph 23 describes each domain having domain-specific memory (where a domain may be interpreted as a node, as described earlier in paragraph 23)), and the interrupt-assignor is to assign the interrupt for each I/O device to one of the plurality of nodes that has

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memory and at least one processor (where an interrupt-assignor may be interpreted as a dynamic interrupt distributor; Figure 2, item 210; paragraphs 25, 28; all nodes (items 102A, 102B are shown in Figure 1 to have memory and at least one processor).

With regard to claim 9, Kiick describes the system of claim 8, wherein at least one of the I/O devices are performance critical, the interrupt-assignor further to assign the interrupt for each I/O device that is performance critical among the at least one processor of the node to which the interrupt has been assigned in a round-robin manner (Examiner interprets all of the I/O devices of the invention of Kiick to be performance critical, thereby necessitating the use of his invention to improve performance; Paragraphs 25, 26, 28).

With regard to claim 10, Kiick describes the system of claim 7, wherein the interrupt-assignment software is further to dynamically modify assignments of the interrupts that are performance critical among the at least one processor of a node based on actual performance characteristics of the assignments. Examiner believes Applicant meant to refer to "the interrupt-assignor" instead of "interrupt-assignment software." (Paragraphs 26, 28, 31)

With regard to claim 12, Kiick describes the system of claim 7, wherein the interrupt-assignor is further to dynamically modify assignments of the interrupts among

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the plurality of nodes based on actual performance characteristics of the assignments (Paragraphs 26, 28, 31).

With regard to claim 15, Kiick describes the system of claim 7, wherein the interrupt-assignor resides within one of the plurality of nodes (where an interrupt-assignor may be interpreted as a dynamic interrupt distributor; Figure 2, item 210; paragraph 28 describes a predetermined processor in a domain (node) dedicated to run the interrupt-assignor).

* * *

Claims 16 - 20 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Kiick.

With regard to claim 16, Kiick describes an article of manufacture comprising:

A computer readable medium;

Means in the medium for assigning interrupts for a plurality of input/output (I/O) devices (paragraph 28 describes a dynamic interrupt distributor embodied as a program module. Examiner identifies that a program module must be embodied on a computer readable medium in order to be useful, and therefore implicitly describes this limitation) among a plurality of nodes based on at least one factor selected from the set consisting of: the nodes to which the devices are connected, and the nodes at which interrupt service routines for the I/O devices reside (Paragraph 34 describes that interrupts

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should be assigned to the "closest" processors, and not across node boundaries.

Examiner interprets this to mean the interrupts for the I/O devices should be assigned to nodes to which they are connected or to nodes where the ISRs for the said I/O devices reside.).

With regard to claim 17, Kiick describes the article of claim 16, wherein the means is for assigning the interrupts among the plurality of nodes further based on whether the nodes have processors and memories (Kiick describes assigning ISRs to processors which have associated memories; paragraph 14).

With regard to claim 18, Kiick describes the article of claim 16, wherein the means, for each node, is further for assigning the interrupts for the devices that are performance critical and that have been assigned to the node among the processors of the node in a round-robin manner (Examiner interprets all of the I/O devices of the invention of Kiick to be performance critical, thereby necessitating the use of his invention to improve performance; Paragraphs 25, 26, 28).

With regard to claim 19, Kiick describes the article of claim 18, wherein the means, is further for dynamically modifying assignments of the interrupts among the nodes based on actual performance characteristics of the assignments, and, for each node, for dynamically modifying assignments of the interrupts that are performance critical and that have been assigned to the node among the processors of the node

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based on actual performance characteristics of the assignments (paragraphs 25, 28, 31).

With regard to claim 20, Kiick describes the article of claim 16, wherein the medium is one of a recordable data storage medium (paragraph 28).

* * *

Claims 21 – 24 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Kiick.

With regard to claim 21, Kiick describes an article of manufacture comprising:

An interrupt-assignor (Figure 2, item 210; paragraph 28) to assign interrupts for a plurality of input/output (I/O) devices among a plurality of nodes based on at least one factor selected from the set consisting of:

The nodes to which the I/O devices are connected;

The nodes at which interrupt service routines for the I/O devices reside.

(Paragraph 34 describes that interrupts should be assigned to the “closest” processors, and not across node boundaries. Examiner interprets this to mean the interrupts for the I/O devices should be assigned to nodes to which they are connected or to nodes where the ISRs for the said I/O devices reside.).

With regard to claim 22, Kiick describes the article of claim 216, wherein the means is for assigning the interrupts among the plurality of nodes further based on whether the nodes have processors and memories (Kiick describes assigning ISRs to processors which have associated memories; paragraph 14).

With regard to claim 23, Kiick describes the article of claim 21, wherein the interrupt-assignor is to assign, for each node, the interrupts for the devices that are performance critical and that have been assigned to the node among the processors of the node in a round-robin manner (where the interrupt-assignor may be interpreted as a dynamic interrupt distributor; Examiner interprets all of the I/O devices of the invention of Kiick to be performance critical, thereby necessitating the use of his invention to improve performance; Paragraphs 25, 26, 28).

With regard to claim 24, Kiick describes the article of claim 23, wherein the interrupt-assignor is to dynamically modify assignments of the interrupts among the nodes based on actual performance characteristics of the assignments, and, for each node, to dynamically modify assignments of the interrupts that are performance critical and that have been assigned to the node among the processors of the node based on actual performance characteristics of the assignments (where an interrupt-assignor may be interpreted as a dynamic interrupt distributor; paragraphs 25, 28, 31).

Claims 25 – 27, and 30 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Kiick.

With regard to claim 25, Kiick describes a method comprising:

Assigning interrupts for a plurality of input/output (I/O) devices among a plurality of nodes based on at least one factor selected from the set consisting of: the nodes to which the I/O devices are connected; and the nodes at which interrupt service routines for the I/O devices reside (Paragraph 34 describes that interrupts should be assigned to the “closest” processors, and not across node boundaries. Examiner interprets this to mean the interrupts for the I/O devices should be assigned to nodes to which they are connected or to nodes where the ISRs for the said I/O devices reside.);

For each node of the system, assigning the interrupts for the devices that are performance critical and that have been assigned to the node among the processors of the node in a round-robin manner (Examiner interprets all of the I/O devices of the invention of Kiick to be performance critical, thereby necessitating the use of his invention to improve performance; Paragraphs 25, 26, 28);

Dynamically modifying assignments of the interrupts among the nodes of the system based on actual performance characteristics of the assignments (paragraphs 25, 28, 31);

For each node of the system, dynamically modifying assignments of the interrupts that are performance critical and that have been assigned to the node among

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the processors of the node based on actual performance characteristics of the assignments (paragraphs 25, 28, 31).

With regard to claim 26, Kiick describes the method of claim 25, wherein assigning the interrupts for the plurality of I/O devices among the plurality of nodes of the system comprises, for each I/O device:

Where the node (Figure 1, items 102A, 102B) to which the I/O device (Figure 1, items 110A, 110B) is connected has a cache (Paragraph 10), memory (Figure 1, items 108A, 108B), and at least one processor (Figure 1, items 106A, 106B), assigning the interrupt for the I/O device to the node to which the I/O device is connected;

Otherwise, where the node at which the interrupt service routine for the I/O device resides has memory and at least one processor, assigning the interrupt for the I/O device to the node at which the interrupt service routine for the I/O device resides (Paragraph 34 describes that interrupts should be assigned to the "closest" processors, and not across node boundaries. Examiner interprets this to mean the interrupts for the I/O devices should be assigned to nodes to which they are connected or to nodes where the ISRs for the said I/O devices reside.).

With regard to claim 27, Kiick describes the method of claim 25, wherein assigning the interrupts for the plurality of I/O devices among the plurality of nodes of the NUMA system further comprises, for each I/O device, otherwise, assigning the interrupt for the I/O device to one of the nodes having memory and at least one

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processor (Paragraph 23 describes each node containing memory (Figure 1, items 108A, 108B), and at least one processor (Figure 1, items 106A, 106B); paragraph 26).

With regard to claim 30, Kiick describes the method of claim 25, wherein for each node of the system, dynamically modifying the assignments of the interrupts that are performance critical and that have been assigned to the node among the processors of the node comprises:

Measuring the responsiveness of the processors of the node in processing the interrupts assigned thereto (paragraphs 27, 28, 35);

Where a differential between a best responsiveness and a worst responsiveness is greater than a threshold (paragraph 28; where a threshold may be interpreted as a "large enough difference");

Reassigning at least one of the interrupts assigned to the processor having the worst responsiveness to the processor having the best responsiveness (paragraphs 27 – 30, 35).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 4 - 6, 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kiick.

With regard to claim 4, Kiick teaches the method of claim 1, wherein dynamically modifying the assignments of the interrupts among the nodes of the NUMA system comprises:

Measuring responsiveness of the node in processing the interrupt (paragraphs 27 – 30);

Kiick fails to explicitly teach assigning the interrupt to the node at which the interrupt service routine for the I/O device resides; measuring responsiveness of the node at which the interrupt service routine for the I/O device resides in processing the

interrupt; and where the responsiveness of the node to which the I/O device is connected is better than the responsiveness of the node at which the interrupt service routine for the I/O device resides, reassigning the interrupt to the node to which the I/O device is connected.

Kiick does, however, teach that the dynamic interrupt distributor should be aware of the system architecture, and re-assign interrupts to the "closest" processors (paragraph 34). Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by Applicant to give preference in assigning interrupts to nodes at which the ISR for the device resides, or at which the I/O device itself resides, and then to re-assign interrupts accordingly to which configuration produced better performance as described in paragraphs 28 – 30).

Kiick describes a multiprocessor system that is tightly-coupled, and could have shared main memory, mass storage, and cache, and runs a single copy of an operating system (paragraph 7). These limitations define a NUMA system as evidenced by the definition from Whatis.com, and therefore, Kiick implicitly describes a NUMA system for use with his invention.

With regard to claim 5, Kiick teaches the method of claim 4, wherein dynamically modifying the assignments of the interrupts among the nodes of the NUMA system comprises, for each assignment of an interrupt for an I/O device to a node, where the node is that at which the interrupt service routine for the I/O device resides:

Measuring responsiveness of the node in processing the interrupt (paragraphs 27 – 30);

Kiick fails to explicitly teach assigning the interrupt to the node to which the I/O device is connected; measuring responsiveness of the node to which the I/O device is connected in processing the interrupt; and where the responsiveness of the node at which the interrupt service routine for the I/O device is connected is better than the responsiveness of the node to which the I/O device is connected, reassigning the interrupt to the node at which the interrupt service routine for the I/O device resides.

Kiick does, however, teach that the dynamic interrupt distributor should be aware of the system architecture, and re-assign interrupts to the “closest” processors (paragraph 34). Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by Applicant to give preference in assigning interrupts to nodes at which the I/O device is connected, or at which the ISR for the I/O device itself resides, and then to re-assign interrupts accordingly to which configuration produced better performance as described in paragraphs 28 – 30).

With regard to claim 6, Kiick describes the method of claim 1, wherein for each node of the NUMA system, dynamically modifying the assignments of the interrupts that are performance critical and that have been assigned to the node among the processors of the node comprises:

Measuring the responsiveness of the processors of the node in processing the interrupts assigned thereto (paragraphs 27, 28, 35);

Where a differential between a best responsiveness and a worst responsiveness is greater than a threshold (paragraph 28; where a threshold may be interpreted as a “large enough difference”);

Reassigning at least one of the interrupts assigned to the processor having the worst responsiveness to the processor having the best responsiveness (paragraphs 27 – 30, 35).

With regard to claim 28, Kiick teaches the method of claim 25, wherein dynamically modifying the assignments of the interrupts among the nodes of the system comprises:

Measuring responsiveness of the node in processing the interrupt (paragraphs 27 – 30);

Kiick fails to explicitly teach assigning the interrupt to the node at which the interrupt service routine for the I/O device resides; measuring responsiveness of the node at which the interrupt service routine for the I/O device resides in processing the interrupt; and where the responsiveness of the node to which the I/O device is connected is better than the responsiveness of the node at which the interrupt service routine for the I/O device resides, reassigning the interrupt to the node to which the I/O device is connected.

Kiick does, however, teach that the dynamic interrupt distributor should be aware of the system architecture, and re-assign interrupts to the “closest” processors (paragraph 34). Therefore, it would have been obvious to one of ordinary skill in this art

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at the time of invention by Applicant to give preference in assigning interrupts to nodes at which the ISR for the device resides, or at which the I/O device itself resides, and then to re-assign interrupts accordingly to which configuration produced better performance as described in paragraphs 28 – 30).

With regard to claim 29, Kiick teaches the method of claim 25, wherein dynamically modifying the assignments of the interrupts among the nodes of the system comprises, for each assignment of an interrupt for an I/O device to a node, where the node is that at which the interrupt service routine for the I/O device resides:

Measuring responsiveness of the node in processing the interrupt (paragraphs 27 – 30);

Kiick fails to explicitly teach assigning the interrupt to the node to which the I/O device is connected; measuring responsiveness of the node to which the I/O device is connected in processing the interrupt; and where the responsiveness of the node at which the interrupt service routine for the I/O device is connected is better than the responsiveness of the node to which the I/O device is connected, reassigning the interrupt to the node at which the interrupt service routine for the I/O device resides.

Kiick does, however, teach that the dynamic interrupt distributor should be aware of the system architecture, and re-assign interrupts to the “closest” processors (paragraph 34). Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by Applicant to give preference in assigning interrupts to nodes at which the I/O device is connected, or at which the ISR for the I/O device itself resides,

and then to re-assign interrupts accordingly to which configuration produced better performance as described in paragraphs 28 – 30).

Allowable Subject Matter

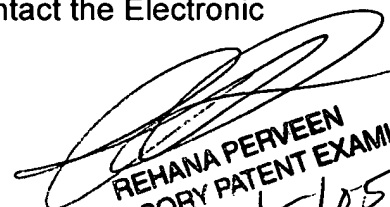
Claims 11, 13, and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew D. Spittle whose telephone number is (571) 272-2467. The examiner can normally be reached on Monday - Friday, 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached on 571-272-3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



REHANA PERVEEN
SUPERVISORY PATENT EXAMINER
12/5/05